

Attachment MWP-B
Preliminary Jurisdictional Determination



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF

JUL 26 2011

Operations Division
Surveillance and Enforcement Section

Mr. Jace M. Jarreau
Delta Land Services, LLC
1090 Cinclare Drive
Port Allen, Louisiana 70767

Dear Mr. Jarreau:

Reference is made to your request for a U.S. Army Corps of Engineers' (Corps) jurisdictional determination on property located in Sections 55 and 101, Township 5 South, Range 10 East, and Sections 7, 18, 97 and 98, Township 5 South, Range 11 East, Pointe Coupee Parish, Louisiana (enclosed map). Specifically, this property is identified as a proposed mitigation site on the Ponderosa Ranch, containing 2109.7 acres near False River in Ventress, Louisiana.

Based on review of recent maps, aerial photography, soils data, the information provided with your request, and a brief field inspection conducted on June 22, 2011, we have determined that part of the property is wetland and may be subject to Corps' jurisdiction. The approximate limits of the wetland are designated in red on the map. A Department of the Army (DA) permit under Section 404 of the Clean Water Act will be required prior to the deposition or redistribution of dredged or fill material into wetlands that are waters of the United States. Additionally, a DA permit will be required if you propose to deposit dredged or fill material into other waters subject to Corps' jurisdiction. Other waters that may be subject to Corps' jurisdiction are indicated in blue on the map.

This delineation/determination has been conducted to identify the limits of the Corps' Clean Water Act jurisdiction for the particular site identified in your request. This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If the property owner or tenant is a USDA farm participant, or anticipates participation in USDA programs, a certified wetland determination should be requested from the local office of the Natural Resources Conservation Service prior to starting work.

You are advised that this preliminary jurisdictional determination is valid for a period of 5 years from the date of this letter unless new information warrants revision prior to the expiration date or the District Commander has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

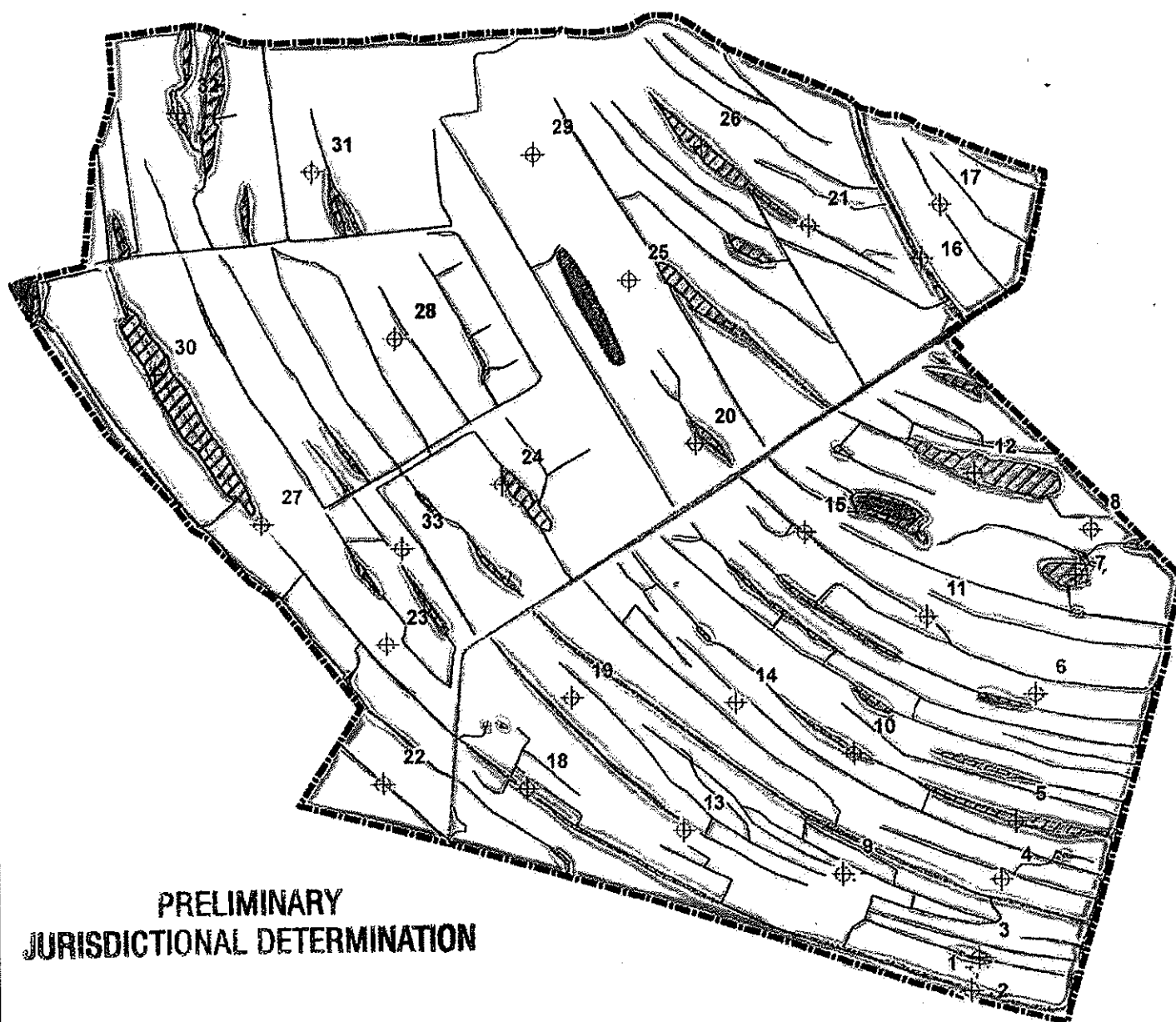
Should there be any questions concerning these matters, please contact Mr. Gary Couret at (337) 291-3042 and reference our Account No. MVN-2011-00999-SC. If you have specific

questions regarding the permit process or permit applications, please contact Dr. James Barlow of our Special Projects and Policy Team at (504) 862-2250. The New Orleans District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please complete and return the enclosed Customer Service Survey or complete the survey on our web site at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,

Pete J. Serio
Chief, Regulatory Branch

Enclosures








PRELIMINARY JURISDICTIONAL DETERMINATION

USACE Acct. No. MVN-2011-00999-SC

For J. Jarreau, Delta Land Services, LLC. Lat. 30.648625, Long. -91.413637
Sections 55 & 101, T5S, R10E and Sections 7, 18, 97 & 98, T5S, R11E,
Pointe Coupee Parish, La., 6-22-11gmc FSV

Legend

-  Project Area (2,109.7 Acres)
-  Sec. 404 Wetlands (99.7 Acres)
-  Other Waters of the U.S. (15.3 Acres) Sec. 404
-  Data Points
-  Nonwetland



1,600 800 0 1,600
Feet

Ponderosa Ranch

WETLAND DELINEATION MAP

Pointe Coupee Parish, LA

Created : JMJ/ArcView

Approved : DEB

Date : 3/15/2011

Map No. : DelineationMap.mxd

FIGURE 3

Attachment MWP-C
MVN MCM Credit Assessment

Table 2B: Proposed Restoration/Enhancement Mitigation Worksheet**Mitigation Project Name:**

Ponderosa Ranch BHH

Mitigation Project Size (Acres) Include Wetlands:**Non-wetlands and Buffer Areas:****Mitigation Project HUC:****Mitigation Project Basin:****Impacted HUC: (HUC)****Mitigation Project in the same basin as the impact:****Proximity Factor:**

Factors	Mitigation Type	Area 1	Area 2	Area 3	Area 4	Area 5
		Re-establishment II	Rehabilitation II	(Select an Option)	(Select an Option)	(Select an Option)
Net Improvement	Maintenance/ Management Requirement	Self-Sustaining	Self-Sustaining	(Select an Option)	(Select an Option)	(Select an Option)
	Control	Conservation Servitude	Conservation Servitude	(Select an Option)	(Select an Option)	(Select an Option)
	Temporal Lag	Over 20	Over 20	(Select an Option)	(Select an Option)	(Select an Option)
	Credit Schedule	Schedule 1	Schedule 1	(Select an Option)	(Select an Option)	(Select an Option)
	Kind	(Select an Option)	(Select an Option)	(Select an Option)	(Select an Option)	(Select an Option)
Negative Influences on the mitigation site	Location	(Select an Option)	(Select an Option)	(Select an Option)	(Select an Option)	(Select an Option)
	Commercial/Residential Development	No Impact	No Impact	No Impact	No Impact	No Impact
	Oil & gas activities	No Impact	No Impact	No Impact	No Impact	No Impact
	Size	Category 1	Category 1	Category 1	Category 1	Category 1
	Corridors	No Impact	No Impact	No Impact	No Impact	No Impact

Table 2B: Proposed Restoration/Enhancement Mitigation Worksheet**Mitigation Project Name:**

Ponderosa Ranch-BLH

	Area 1	Area 2	Area 3	Area 4	Area 5
Factors					
Net Improvement					
Mitigation Type * Maintenance/ Management Requirement	3.5	2.7	0.0	0.0	0.0
Control	0.4	0.4	0.0	0.0	0.0
Temporal Lag	-0.3	-0.3	0.0	0.0	0.0
Credit Schedule	0.4	0.4	0.0	0.0	0.0
Kind	0.0	0.0	0.0	0.0	0.0
Location	0.0	0.0	0.0	0.0	0.0
Subtotal	4.0	3.2	0.0	0.0	0.0
Commercial/Residential Development	0.0	0.0	0.0	0.0	0.0
Oil & gas activities	0.0	0.0	0.0	0.0	0.0
Size	0.0	0.0	0.0	0.0	0.0
Utility Corridors	0.0	0.0	0.0	0.0	0.0
Sum of negative impacts	0.0	0.0	0.0	0.0	0.0
Sum of m Factors	4.0	3.2	0.0	0.0	0.0
Size of Area (Acres)	242.7	6.6	0.0	0.0	0.0
M × A =	970.8	21.1	0.0	0.0	0.0
Acres required for Permittee-responsible Mitigation project using required credits calculated in Adverse impact Worksheet.	0.0	0.0	0.0	0.0	0.0
Total Restoration/Enhancement Credits = $\sum (M \times A) =$					991.9
Total Available including buffers					996.3
Average Credit Per Acre =					4.0

	Buffers	Non-hydric inclusions	Hydric Inclusions
Credits per acre (M)	0.2	0.4	0.6
Size in Acres (A)		1.7	6.1
M × A =	0.0	0.7	3.7
Credits added to bank =			4.3

Table 2B: Proposed Restoration/Enhancement Mitigation Worksheet**Mitigation Project Name:**

Ponderosa Ranch SWP

Mitigation Project Size (Acres) Include Wetlands.

Non-wetlands and Buffer Areas: 323.8

Mitigation Project HUC: 08070300

Mitigation Project Basin: Terrebonne

Impacted HUC: (HUC)

Mitigation Project in the same basin as the impact: Yes

Proximity Factor: 1.0

Factors	Mitigation Type	Area				
		Area 1	Area 2	Area 3	Area 4	Area 5
Net Improvement	Maintenance/Management Requirement	Re-establishment II	Rehabilitation II	Enhancement I	(Select an Option)	(Select an Option)
	Control	Self-Sustaining	Self-Sustaining	Self-Sustaining	(Select an Option)	(Select an Option)
	Temporal Lag	Conservation Servitude	Conservation Servitude	Conservation Servitude	(Select an Option)	(Select an Option)
	Credit Schedule	Over 20	Over 20	Over 20	(Select an Option)	(Select an Option)
	Kind	Schedule 1	Schedule 1	Schedule 1	(Select an Option)	(Select an Option)
Negative Influences on the mitigation site	Location	(Select an Option)	(Select an Option)	(Select an Option)	(Select an Option)	(Select an Option)
	Commercial/Residential Development	(Select an Option)	(Select an Option)	(Select an Option)	(Select an Option)	(Select an Option)
	Oil & gas activities	No Impact	No Impact	No Impact	No Impact	No Impact
	Size	No Impact	No Impact	No Impact	No Impact	No Impact
	Corridors	Category 1	Category 1	Category 1	Category 1	Category 1

Table 2B: Proposed Restoration/Enhancement Mitigation Worksheet**Mitigation Project Name:**

Ponderosa Ranch SWP

	Area 1	Area 2	Area 3	Area 4	Area 5
Factors					
Net Improvement	Mitigation Type * Maintenance/ Management Requirement	3.5	2.7	2.3	0.0
	Control	0.4	0.4	0.4	0.0
	Temporal Lag	-0.3	-0.3	-0.3	0.0
	Credit Schedule	0.4	0.4	0.4	0.0
	Kind	0.0	0.0	0.0	0.0
	Location	0.0	0.0	0.0	0.0
	Subtotal	4.0	3.2	2.8	0.0
Negative Influences on the mitigation site	Commercial/Residential Development	0.0	0.0	0.0	0.0
	Oil & gas activities	0.0	0.0	0.0	0.0
	Size	0.0	0.0	0.0	0.0
	Utility Corridors	0.0	0.0	0.0	0.0
	Sum of negative impacts	0.0	0.0	0.0	0.0
	Sum of m Factors	4.0	3.2	2.8	0.0
	Size of Area (Acres)	38.8	13.8	2.1	0.0
	M x A =	155.2	44.2	5.9	0.0
Acreage required for Permittee-responsible Mitigation project using required credits calculated in Adverse impact Worksheet.		0.0	0.0	0.0	0.0
Total Restoration/Enhancement Credits = $\sum (M \times A) =$					205.2
Total Available including buffers					205.2
Average Credit Per Acre =					3.8

	Buffers	Non-hydric inclusions	Hydric Inclusions
Credits per acre (M)	0.2	0.4	0.6
Size in Acres (A)		0.0	0.0
M x A =	0.0	0.0	0.0
Credits added to bank =			0.0

Attachment MWP-D

Estimated Construction, Establishment and Long-Term Maintenance Funding Requirements Report

Cost Reference for Ponderosa Ranch of Pointe Coupee
ver 1.4

Item	Units	Unit Values	Price Per Unit	Total Cost
Boundary Maintenance	Miles	3.00	\$ 150.00	\$ 450.00
Invasive Species Control	Acre	323.80	\$ 90.00	\$ 29,142.00
Invasive Species Control Mobilization	Fixed	Fixed	Fixed	\$ 100.00
Inspections (rate and per diem)	Day	1.00	\$ 790.00	\$ 790.00
Taxes on Project Acreage	Acre	323.80	\$ 3.00	\$ 971.40
Planted Acreage (Restoration/Nonwetland >23' NAVD)	Acre	285.70	NA	NA
Planted Acreage (Restoration <23' NAVD)	Acre	17.90		
Planted Acreage (Enhancement)	Acre	2.10		
Planting Rate (Restoration/Nonwetland >23' NAVD)	Trees/Acre	538.00	NA	NA
Planting Rate (Restoration/Nonwetland <23' NAVD)	Trees/Acre	538.00		
Planting Rate (Enhancement)	Trees/Acre	269.00		
Seedling Cost (BRS)-Restoration/Nonwetland >23' NAVD	Seedling	153,706.60	\$ 0.22	\$ 33,815.45
Seedling Cost (25%RPM/75%BRS Combination)-Restoration <23' NAVD	Seedling	9,630.20	\$ 2.42	\$ 23,256.93
Seedling Cost (25%RPM/75%BRS Combination)-Enhancement	Seedling	564.90	\$ 2.42	\$ 1,364.23
Seedling Installation Rate	Seedling	163,901.70	\$ 0.17	\$ 27,863.29
Planting Cost (Seedlings and Installation)	Seedling	163,901.70	\$ 0.53	\$ 86,299.91
Earth Moving	Cubic Yards	17,214.00	\$ 2.00	\$ 34,428.00
Culvert Removal	Culvert	5	\$ 200.00	\$ 1,000.00
Site Prep and Preemergent Spray	Acres	285.70	\$ 120.00	\$ 34,284.00
Credit Acreage	Acres	304.00	NA	NA
Conservation Servitude Acreage	Acres	323.80	NA	NA
Wildlife Opening and Road Maintenance	Acres	9.6	\$ 10.00	\$ 96.00

BRS= bare-root seedlings

RPM=Root Production Method seedling

Combination Seedling Cost based on \$0.22/BRS and \$9/RPM

Construction Costs for
Ponderosa Ranch of Pointe Coupee
Year 0

<i>Item</i>	<i>Units</i>	<i>Unit Values</i>	<i>Price Per Unit</i>	<i>Cost</i>
Hydrology Restoration	Cubic Yards	17,214.0	\$ 2.00	\$ 34,428.00
Culvert Removal	Culvert	5	\$ 200.00	\$ 1,000.00
Site Prep and Preemergent Spray	Acres	285.7	\$ 120.00	\$ 34,284.00
Planting Costs (Seedlings and Installation)	Trees	163,901.7	\$ 0.53	\$ 86,299.91
Subtotal				\$ 156,011.91
Construction Cost with 5% Contingency				\$ 163,812.50
Cost Per Credit Acre				\$ 538.86

Establishment Costs for
Ponderosa Ranch of Pointe Coupee
Year 1 to 15

Year	Event	Event Cost	Percent	Occurrences Per Year	Inflation Factor	Cost	Percent of Cost	Release Milestone
1	Monitoring/ Inspection	\$ 790.00	100%	2	1.0000	\$ 1,580.00		
1	Replant (30%)	\$ 86,299.91	30%	1	1.0000	\$ 25,889.97		
1	Invasive Species Control (100%)	\$ 29,142.00	100%	1	1.0000	\$ 29,142.00		
1	Invasive Species Mobilization	\$ 100.00	100%	1	1.0000	\$ 100.00		
1	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0000	\$ 96.00		
1	Property Taxes	\$ 971.40	100%	1	1.0000	\$ 971.40		
1	Subtotal					\$ 57,779.37	52.3%	Initial Success
2	Monitoring/ Inspection	\$ 790.00	100%	2	1.0000	\$ 1,580.00		\$57,779.37
2	Replant (10%)	\$ 86,299.91	10%	1	1.0000	\$ 8,629.99		
2	Invasive Species Control (25%)	\$ 29,142.00	25%	1	1.0000	\$ 7,285.50		
2	Invasive Species Mobilization	\$ 100.00	100%	1	1.0000	\$ 100.00		
2	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0000	\$ 96.00		
2	Property Taxes	\$ 971.40	100%	1	1.0000	\$ 971.40		
2	Subtotal					\$ 18,662.89	16.9%	
3	Monitoring/ Inspection	\$ 790.00	100%	2	1.0000	\$ 1,580.00		
3	Invasive Species Control (20%)	\$ 29,142.00	20%	1	1.0000	\$ 5,828.40		
3	Invasive Species Mobilization	\$ 100.00	100%	1	1.0000	\$ 100.00		
3	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0000	\$ 96.00		
3	Property Taxes	\$ 971.40	100%	1	1.0000	\$ 971.40		
3	Subtotal					\$ 8,575.80	7.8%	
4	Monitoring/ Inspection	\$ 790.00	100%	2	1.0000	\$ 1,580.00		
4	Invasive Species Control (10%)	\$ 29,142.00	10%	1	1.0000	\$ 2,914.20		
4	Invasive Species Mobilization	\$ 100.00	100%	1	1.0000	\$ 100.00		
4	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0000	\$ 96.00		
4	Property Taxes	\$ 971.40	100%	1	1.0000	\$ 971.40		
4	Subtotal					\$ 5,661.60	5.1%	
5	Monitoring/ Inspection	\$ 790.00	100%	2	1.0000	\$ 1,580.00		
5	Invasive Species Control (5%)	\$ 29,142.00	5%	1	1.0000	\$ 1,457.10		
5	Invasive Species Mobilization	\$ 100.00	100%	1	1.0000	\$ 100.00		
5	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0000	\$ 96.00		
5	Property Taxes	\$ 971.40	100%	1	1.0000	\$ 971.40		
5	Subtotal					\$ 4,204.50	3.8%	Interim Success
6	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0000	\$ 96.00		\$37,104.79
6	Property Taxes	\$ 971.40	100%	1	1.0000	\$ 971.40		
6	Subtotal					\$ 1,067.40	1.0%	
7	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0000	\$ 96.00		
7	Property Taxes	\$ 971.40	100%	1	1.0000	\$ 971.40		
7	Subtotal					\$ 1,067.40	1.0%	
8	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0000	\$ 96.00		
8	Property Taxes	\$ 971.40	100%	1	1.0000	\$ 971.40		
8	Subtotal					\$ 1,067.40	1.0%	
9	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0000	\$ 96.00		
9	Property Taxes	\$ 971.40	100%	1	1.0000	\$ 971.40		
9	Subtotal					\$ 1,067.40	1.0%	
10	Monitoring/ Inspection	\$ 790.00	100%	2	1.0249	\$ 1,619.34		
10	Invasive Species Control (2%)	\$ 29,142.00	2%	1	1.0249	\$ 597.35		
10	Invasive Species Mobilization	\$ 100.00	100%	1	1.0249	\$ 102.49		
10	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0249	\$ 98.39		
10	Property Taxes	\$ 971.40	100%	1	1.0249	\$ 995.59		
10	Boundary Maintenance	\$ 450.00	100%	1	1.0249	\$ 461.21		
10	Subtotal with Year 10 Adjusted Inflation (2.49%)					\$ 3,874.37	3.5%	
11	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0249	\$ 98.39		
11	Property Taxes	\$ 971.40	100%	1	1.0249	\$ 995.59		
11	Subtotal with Year 11 Adjusted Inflation (2.49%)					\$ 1,093.98	1.0%	
12	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0249	\$ 98.39		
12	Property Taxes	\$ 971.40	100%	1	1.0249	\$ 995.59		
12	Subtotal with Year 12 Adjusted Inflation (2.49%)					\$ 1,093.98	1.0%	
13	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0249	\$ 98.39		
13	Property Taxes	\$ 971.40	100%	1	1.0249	\$ 995.59		
13	Subtotal with Year 13 Adjusted Inflation (2.49%)					\$ 1,093.98	1.0%	
14	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0249	\$ 98.39		
14	Property Taxes	\$ 971.40	100%	1	1.0249	\$ 995.59		
14	Subtotal with Year 14 Adjusted Inflation (2.49%)					\$ 1,093.98	1.0%	
15	Monitoring/ Inspection	\$ 790.00	100%	1	1.0249	\$ 809.67		
15	Invasive Species Control (2%)	\$ 29,142.00	2%	1	1.0249	\$ 597.35		
15	Invasive Species Mobilization	\$ 100.00	100%	1	1.0249	\$ 102.49		
15	Wildlife Opening and Access Road Maintenance	\$ 96.00	100%	1	1.0249	\$ 98.39		
15	Property Taxes	\$ 971.40	100%	1	1.0249	\$ 995.59		
15	Boundary Maintenance	\$ 450.00	100%	1	1.0249	\$ 461.21		
15	Subtotal with Year 15 Adjusted Inflation (2.49%)					\$ 3,064.70	2.8%	Long-Term Success
								\$15,584.58
	Total					\$ 110,468.74	100.0%	\$110,468.74
	Total Per Credit Acre					\$ 363.38		

Years 10-15 adjusted using an inflation rate of 2.49%. This is the average Consumer Price Index (CPI) from 1983-2012.

Long-Term Annualized Cost Summary Ponderosa Ranch of Pointe Coupee

[illegible]

Long-Term Costs and Projected Account Activity for
Ponderosa Ranch of Pointe Coupee
Year 16 to 50

Year	Item	Total Cost	Inflationary Adjustment ¹	Beginning Balance ²	Ending Balance ³
15	Annual Cost	\$ -	\$ -	\$ 64,000.00	\$ 64,000.00
16	Annual Cost	\$ 1,561.11	\$ 1,599.98	\$ 66,323.20	\$ 64,723.22
17	Annual Cost	\$ 1,561.11	\$ 1,639.82	\$ 67,072.67	\$ 65,432.85
18	Annual Cost	\$ 1,561.11	\$ 1,680.65	\$ 67,808.06	\$ 66,127.41
19	Annual Cost	\$ 1,561.11	\$ 1,722.50	\$ 68,527.83	\$ 66,805.33
20	Annual Cost	\$ 1,561.11	\$ 1,765.39	\$ 69,230.37	\$ 67,464.98
21	Annual Cost	\$ 1,561.11	\$ 1,809.35	\$ 69,913.95	\$ 68,104.61
22	Annual Cost	\$ 1,561.11	\$ 1,854.40	\$ 70,576.80	\$ 68,722.40
23	Annual Cost	\$ 1,561.11	\$ 1,900.58	\$ 71,217.02	\$ 69,316.45
24	Annual Cost	\$ 1,561.11	\$ 1,947.90	\$ 71,832.63	\$ 69,884.73
25	Annual Cost	\$ 1,561.11	\$ 1,996.40	\$ 72,421.55	\$ 70,425.14
26	Annual Cost	\$ 1,561.11	\$ 2,046.11	\$ 72,981.58	\$ 70,935.46
27	Annual Cost	\$ 1,561.11	\$ 2,097.06	\$ 73,510.42	\$ 71,413.36
28	Annual Cost	\$ 1,561.11	\$ 2,149.28	\$ 74,005.66	\$ 71,856.38
29	Annual Cost	\$ 1,561.11	\$ 2,202.80	\$ 74,464.77	\$ 72,261.97
30	Annual Cost	\$ 1,561.11	\$ 2,257.65	\$ 74,885.08	\$ 72,627.44
31	Annual Cost	\$ 1,561.11	\$ 2,313.86	\$ 75,263.81	\$ 72,949.95
32	Annual Cost	\$ 1,561.11	\$ 2,371.48	\$ 75,598.03	\$ 73,226.56
33	Annual Cost	\$ 1,561.11	\$ 2,430.53	\$ 75,884.68	\$ 73,454.15
34	Annual Cost	\$ 1,561.11	\$ 2,491.05	\$ 76,120.54	\$ 73,629.49
35	Annual Cost	\$ 1,561.11	\$ 2,553.07	\$ 76,302.24	\$ 73,749.17
36	Annual Cost	\$ 1,561.11	\$ 2,616.65	\$ 76,426.26	\$ 73,809.62
37	Annual Cost	\$ 1,561.11	\$ 2,681.80	\$ 76,488.91	\$ 73,807.11
38	Annual Cost	\$ 1,561.11	\$ 2,748.58	\$ 76,486.31	\$ 73,737.73
39	Annual Cost	\$ 1,561.11	\$ 2,817.02	\$ 76,414.41	\$ 73,597.39
40	Annual Cost	\$ 1,561.11	\$ 2,887.16	\$ 76,268.98	\$ 73,381.82
41	Annual Cost	\$ 1,561.11	\$ 2,959.05	\$ 76,045.58	\$ 73,086.53
42	Annual Cost	\$ 1,561.11	\$ 3,032.73	\$ 75,739.57	\$ 72,706.84
43	Annual Cost	\$ 1,561.11	\$ 3,108.25	\$ 75,346.10	\$ 72,237.85
44	Annual Cost	\$ 1,561.11	\$ 3,185.64	\$ 74,860.08	\$ 71,674.44
45	Annual Cost	\$ 1,561.11	\$ 3,264.96	\$ 74,276.23	\$ 71,011.26
46	Annual Cost	\$ 1,561.11	\$ 3,346.26	\$ 73,588.97	\$ 70,242.71
47	Annual Cost	\$ 1,561.11	\$ 3,429.58	\$ 72,792.52	\$ 69,362.94
48	Annual Cost	\$ 1,561.11	\$ 3,514.98	\$ 71,880.81	\$ 68,365.83
49	Annual Cost	\$ 1,561.11	\$ 3,602.50	\$ 70,847.51	\$ 67,245.01
50	Annual Cost	\$ 1,561.11	\$ 3,692.20	\$ 69,686.01	\$ 65,993.80
Total		\$ 54,638.85	\$ 87,717.23		
Average		\$ 1,561.11	\$ 2,506.21		

Inflation	0.0249
Interest	0.0363
per credit acre at 35%	\$ 601.50

- Adjusted using an inflation rate of 2.49%. This is the average Consumer Price Index (CPI) from 1983-2012.
- Adjusted using an interest rate of 3.63% applied to the previous years' ending balance. The rate of return is based on a 30-year Treasury Bond rate as of August 13, 2013
- The ending balance is the beginning balance less the estimated, inflated cost.

Attachment MWP-E

Acceptance Letter

US Army Corps of Engineers
Regulatory Branch
PO Box 60267
New Orleans, LA 70160
ATTN: *{CORPS PROJECT MANAGER}*

Gentlemen:

The Ponderosa Ranch of Pointe Coupee Mitigation Bank has made arrangements with *{PERMITTEE'S NAME}* to purchase *{NUMBER OF ACRES OR CREDITS}* *{ACRES OR CREDITS}* of *{HABITAT TYPE}* for unavoidable impacts associated with work authorized by the Department of the Army permit number *{MVN-XXXX-XXXXX-XX}*. The Ponderosa Ranch of Pointe Coupee Mitigation Bank assumes the responsibility for the permittee's compensatory mitigation requirements (i.e., to implement, assure performance, and provide long-term management of the compensatory mitigation project) in accordance with provisions of the Mitigation Banking Instrument governing this bank.

{CLOSING}

{NAME}
{TITLE}

Enclosure B: Comment Summary and Response
Supporting Document
(dated August 27, 2013)

Ponderosa Mitigation Banking Instrument
MVN-2011-03213
Comment Summary and Response Document
August 27, 2013

Delta land Services, LLC (Sponsor) is providing this document in response to the comments received on the Draft Mitigation Banking Instrument (MBI) and the associated Mitigation Work Plan (MWP) for the Ponderosa Ranch of Point Coupee Mitigation Bank (Bank) submitted to the U.S. Army Corps of Engineers New Orleans District (CEMVN) on May 7, 2013. Comments were provided to the Sponsor on August 2, 2013. This document provides a summary of comments received from the CEMVN and the IRT along with the Sponsor's response in order to show how these comments have been addressed in the MBI per 33 CFR 332.8 (d)(8). Microsoft Word® (Word) documents will be provided to the CEMVN via electronic mail (email) which reveal edits and comments made May 7, 2013 version of the MBI and MWP. This document does not summarize comments where the CEMVN and the IRT did not raise objections but only on comments where changes were requested or additional information was requested.

Specific Comments, Response and Summary of Revisions

1. **Comment:** The CEMVN/IRT requested the 300-foot strip of natural regeneration be clearly identified on the drawings.

Response: The 300-foot strip has been annotated on Figure 1 of Attachment A to the Mitigation Work Plan.

2. **Comment:** The CEMVN did not agree with the proposed credit release schedule modification in the MBI.

Response: The Sponsor has modified the credit release schedule as proposed by the CEMVN per their letter to the Sponsor dated October 4, 2012. To quote the letter, the first three stages of release will be "15% (45.6 ac), 10% (30.4 ac), and 10% (30.4 ac). Presuming successful attainment of the wetland status and any other relevant criteria, the fourth template release could theoretically be as much as 55% (167.2 ac). The amount of the fifth release would remain as is currently written (10%-30.4 ac)." Section V.B of the MWP was changed to satisfy this comment.

3. **Comment:** The CEMVN asserted that Mitigation Type Factor for all Restoration areas be assigned a Re-establishment II/Rehabilitation II within the MVN MCM.

Response: The Sponsor is utilizing the MVN MCM provided by the CEMVN on August 5, 2013 (via electronic mail) which classifies all Restoration areas as Re-establishment II/Rehabilitation II. The MVN MCM is located in Attachment C of the MWP.

4. **Comment:** The CEMVN requested that the 30-foot wide access trails be reduced to 12-feet in width.

Response: A conference call was held between the Sponsor and the CEMVN on August 6, 2013. The CEMVN stated that the access roads could remain at 30-feet however this measurement needed to be quantified and described as being from tree row to tree row. The Sponsor included a description of measurement within Section VI of the MWP.

5. **Comment:** The CEMV requested that the term "current" be eliminated as a descriptor when identifying the location of the open space/food plots.

Response: The Sponsor removed this word where it was used as described. This was in Section VI of the MWP.

6. **Comment:** The CEMVN requested the Sponsor to revise the minimum deposit amount to reflect 35% of the potential 304 acres.

Response: The Sponsor made the requested edit to Section X.C. of the MWP.

7. **Comment:** The CEMVN requested the Sponsor provide supporting documentation for the anticipated rate of return on the long-term fund.

Response: The Sponsor revised the rate of return after evaluation of current inflation rates based on the Consumer Price Index (CPI) over the previous 30 years and the US Treasury 30-year Bond rate as of August 13, 2013. This date revealed 2.49% inflation and a 3.63% rate of return on the 30-year Treasury bond. Given the CEMVN-approved escrow agreement for long-term funds currently limits the investment to those "only in direct obligations to the United States of America, in obligations or agencies or insurers that are guaranteed by the United States of America, or in a money market mutual fund consisting solely of such obligations", we felt this was the Treasury bond rate was the only suitable benchmark. This change had the effect of raising the long-term fund requirement from \$52,000 to \$64,000. The change in the inflation rate also required a slight adjustment of the Establishment Fund from \$110,459.91 to \$110,468.74. The revised Financial Assurance/Long-Term Management (FA/LTM) is in Attachment D of the MWP. Changes were made to Sections X.B, X.C, XI.B and XI.C of the MWP and Section IX of the MBI. Footnotes were added where necessary to describe and justify the interest rates as requested.

8. **Comment:** The CEMVN indicated that Office of Counsel (OC) was reviewing all documents referenced as well as other legal documents provided and CEMVN would forward them to the Sponsor upon receipt.

Response: To date, the Sponsor has not received these comments. There was indication in an electronic mail from the CEMVN to the Sponsor (dated August 20, 2013) that OC may have questions about title but no specifics were provided. In response, the title opinion dated December 2, 2011 has been updated with an August 26, 2013 title opinion. A change in ownership from the proportions of an undivided three-fourths (3/4th) interest by the heirs of the Succession of John E. Jumonville (also known as John E. Jumonville, Sr. or J. E. Jumonville, Sr.), and an undivided one-fourth (1/4th) interest to Claude Colon Jumonville to 100% Claude Colon Jumonville occurred and is reflected in Section II.B of the MBI. Additionally, there are four mortgages as opposed to three which will be subordinated to the conservation servitude. This is reflected in Section II.D of the MBI. The mineral title opinion remains the same as previously described. To summarize, Claude Coulon Jumonville (Owner) is the owner of the executive rights regarding the minerals and therefore has complete and sole discretion to grant/execute mineral leases affecting the subject property. The co-owners of the mineral rights have no authority to enter into such agreements.

